

UNITED STATES DISTRICT COURT

Eastern District of Arkansas

MAY 21 2018

JAMES W. MCCORMACK, CLERK  
By: [Signature] DEP CLERK

UNITED STATES OF AMERICA  
v.  
Wendi Carol Williams

**Judgment in a Criminal Case**  
(For **Revocation** of Probation or Supervised Release)

Case No. 4:13-cr-16-DPM

USM No. 06113-010

Nicole Lybrand

Defendant's Attorney

**THE DEFENDANT:**

- ☒ admitted guilt to violation of condition(s) Std. & Special of the term of supervision.  
☐ was found in violation of condition(s) \_\_\_\_\_ after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
3 (Std. 5)	Failing to maintain employment, a Grade C Violation	10/31/2017
4 (Spec. S1)	Failing to participate in mental-health counseling, a Grade C Violation	02/14/2018

(continued on next page)

The defendant is sentenced as provided in pages 2 through 9 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) \_\_\_\_\_ and is discharged as to such violation(s) condition.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Last Four Digits of Defendant's Soc. Sec. No.: 4064

05/18/2018

Date of Imposition of Judgment

Defendant's Year of Birth: 1968

D.P. Marshall Jr.

Signature of Judge

City and State of Defendant's Residence:  
Jonesboro, AR

D.P. Marshall Jr.

U.S. District Judge

Name and Title of Judge

21 May 2018

Date

DEFENDANT: Wendi Carol Williams  
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**ADDITIONAL VIOLATIONS**

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Concluded</u>
(Continued from previous page.)		
5 (Spec 1)	Failing to pay restitution, a Grade C Violation	01/31/2018

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### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of :  
6 months.

☒ The court makes the following recommendations to the Bureau of Prisons:

1) designation to FMC Carswell or FCI Coleman to facilitate family visitation.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ ☐ a.m. ☐ p.m. on \_\_\_\_\_ .

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☒ before 2 p.m. on 06/18/2018 .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_ with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

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### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of :  
1 year.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is be a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

### **STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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**SPECIAL CONDITIONS OF SUPERVISION**

S1) The Court reimposes all conditions previously imposed:

- Williams shall participate in mental-health counseling under the guidance and supervision of the U.S. Probation Office. Williams shall pay all or part of the cost of treatment based upon her ability to pay as determined by the Probation Office.
- Williams shall not obtain employment in an institution insured by the FDIC or a federal credit union.
- Williams shall disclose to the Probation Office upon request and at least quarterly financial information, including, but not limited to, tax returns and bank statements. No new debt, including credit cards and new lines of credit, shall be established without prior approval of the Probation Office.
- Williams shall not be self-employed.
- Williams must address her pending state charges---and any accompanying warrants---in Illinois and Florida. No. 58 at 1--2. The United States will not pursue another revocation in this case based on the disposition of those charges.

S2) Williams must not relocate outside the Eastern District of Arkansas.

S3) The United States and the probation officer will enforce a zero-tolerance policy with regard to any violations of the mandatory, standard, and special conditions of supervision.

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**CRIMINAL MONETARY PENALTIES**

The defendant must pay the following total criminal monetary penalties under the schedule of payments set forth on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$ 0.00	\$	\$ 82,546.49

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Simmons Bank			
Attn: Restitution			
425 West Capitol			
Little Rock, AR 72201	\$16,411.59	\$16,411.59	pro rata
NWA Gold and Silver			
8400 West Markham			
Little Rock, AR 72205	\$6,000.00	\$6,000.00	pro rata
(continued on page 8)			

<b>TOTALS</b>	\$ <u>83,706.49</u>	\$ <u>83,706.49</u>
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☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_\_

☐ The defendant must pay interest on restitution or a fine more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☒ the interest requirement is waived for the ☐ fine ☒ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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**ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES**

1) The Court reimposes Williams's remaining restitution obligation. The amounts reflected in the "Restitution Ordered" column on pages 6 & 8 of this Judgment reflect the amounts ordered in the April 2014 judgment. According to the Clerk of Court's records, Williams's outstanding restitution obligation as of 18 May 2018 is \$82,546.49.

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**ADDITIONAL TERMS FOR CRIMINAL MONETARY PENALTIES**

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Cynthia East 1523 Rebsamen Road Little Rock, AR 72202	\$541.71	\$541.71	pro rata
Colonial Wine and Spirits 11200 West Markham Little Rock, AR 72211	\$2,121.47	\$2,121.47	pro rata
Michael & Paige Hi, Little Rock, AR (address under seal with the Clerk's office)	\$58,631.72	\$58,631.72	pro rata

\* Findings for the total amount of losses are required by Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.



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### SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ 0.00 due immediately, balance due
- ☐ not later than \_\_\_\_\_, or  
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below); or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_\_\_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay.
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
- During imprisonment, Williams must pay 50 percent per month of all funds available to her. After release, she must pay 10 percent of her gross monthly income. Williams must make payments until her remaining \$82,546.49 restitution obligation is paid in full.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Joint and Several Amount and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.